

The Honorable Richard Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CALEB CRAIG JACKSON,

Plaintiff,

v.

CITY OF SEATTLE; SEATTLE  
POLICE DEPARTMENT; OFFICER S.  
MARTINELL; OFFICER HUGHEY;  
OFFICER S. SMITH; OFFICER S.  
KAFFER; OFFICER D. CONINE;  
OFFICER M. WOODRUFF; and JOHN  
DOES 1 - 10,

Defendants.

NO. C08-1085

DECLARATION OF OFFICER  
MICHAEL WOODRUFF

I, Michael Woodruff, hereby declare as follows:

1. I am over the age of 18 years, make this Declaration based on personal knowledge, and am competent to testify to the facts contained herein.

2. I am a corrections officer employed by the State of Washington Department of Corrections.

3. On June 27, 2006 I was working in an unmarked van with Seattle Police Officers Kaffer and Conine on the fugitive apprehension team. Officer Conine was driving the

DECLARATION OF OFFICER MICHAEL  
WOODRUFF -- NO. C08-1085

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ATTORNEY GENERAL OF WASHINGTON  
Torts Division  
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1 van northbound on Rainier Avenue South and was behind a vehicle with three males inside.  
 2 As the vehicle rounded the corner, I saw one of the passengers displaying hand gestures. I then  
 3 saw the man point the barrel of a rifle out the window at a male standing on the corner. The  
 4 male with the gun looks like he was shouting, but I could not hear the words. I believed that  
 5 we were witnessing a potential drive-by shooting, but we did not see the pedestrian fall or  
 6 appear to be shot.

7  
 8 4. As the car completed its turn on to eastbound South Othello Street it took off,  
 9 although not at a high rate of speed. The driver refused to stop and I was not sure of his intent.  
 10 Eventually he pulled over and when back-up arrived, the Seattle officers made a high-risk stop.  
 11 I was not involved in the arrests, but was covering the vehicle.

12 5. The occupants were ordered out one at a time and told to lie on the ground. The  
 13 driver asked, "What's this about?" At one point he stated that he knew the male that the  
 14 passenger pointed the gun at, but the statement was not convincing. Although the rifle turned  
 15 out to be a paintball gun, we told the men that there was no way we could have known that and  
 16 this could have gone differently and one of them could have been shot. I did not take any  
 17 statements or have any other involvement in this matter.

18 I declare under penalty of perjury under the laws of the State of Washington and of the  
 19 United States that the foregoing is true and correct.

20 EXECUTED at Spanwood, Washington this 24<sup>th</sup> day of February 2009.

21  
 22   
 23 MICHAEL WOODRUFF

Certificate of Service

I certify that on the date noted below I electronically filed this document entitled DECLARATION OF OFFICER MICHAEL WOODRUFF with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons:

Mark Leemon  
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*Attorneys for Plaintiff Caleb Craig Jackson*

DATED this 29<sup>th</sup> day of April, 2009, at Seattle, Washington.

/s/ Karen L. Cobb via ECF

DECLARATION OF OFFICER MICHAEL WOODRUFF - 3

3019-029672 322540

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